

REMARKS

Summary of Office Action

Claims 11-18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Molsen et al. (US Pat. No. 6,122,024) in view of Sakai et al. (US Pat. No. 6,222,603):

Claim 22 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Molsen et al. in view of Sakai et al., and further in view of Hiji et al. (US Pat. No. 5,872,609).

Summary of Amendment

Claim 11 has been amended. No new matter has been added. Hence, claims 11-18 and 22 are pending for consideration.

All Claims Comply Under §103

Claims 11-18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Molsen et al. in view of Sakai et al. Claim 22 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Molsen et al. in view of Sakai et al., and further in view of Hiji et al. Applicant respectfully traverses.

In the Advisory Action of May 22, 2007, the amendment to claim 11 presented in the after-final amendment of May 8, 2007 was denied entry because “the amendment of claim 11 would require further consideration and search.” In response, Applicants filed a Request for Continued Examination (“RCE”) to request that the after-final amendment of May 8, 2007 be entered and considered on the merits to which the currently outstanding Office Action was issued.

In the present Office Action, the *exact same rejection* presented in the final Office Action

was repeated, alleging that the added features of the entered after-final amendment was given *no patentable weight*. Applicant respectfully submits, then, either the Advisory Action was in error, in which case the Applicant was unduly required to file an RCE, or the rejections in the present Office Action are in error by improperly dismissing features considered to have given rise to “further consideration and search.”

In the interest of advancing prosecution, however, Applicant has amended independent claim 11 to clarify the physical distinctions over the relied-upon prior art. In particular, claim 11 as amended recites, in part, a polymer network including the photo-reactant material aligned towards one of the first and second substrates by irradiated light in curing the sealant, and the liquid crystal material aligned towards the other of the first and second substrate by the irradiated light. By contrast, FIG. 2 of Molsen et al. appears to show the photo-reactant material and the liquid crystal material dispersed throughout, and the description in the specification of Molsen et al. fails to disclose at least such a feature. Sakai et al. does not and cannot cure at least this deficiency. Therefore, Molsen et al. and Sakai et al., whether taken individually or in combination, fail to teach all the features of independent claim 11 as amended.

Claims 12-18 depend from claim 11, thereby incorporating all the features of claim 11. Accordingly, Molsen et al. and Sakai et al., whether taken individually or in combination, also fail to teach all the features of claims 12-18 for at least the reason discussed above.

Claim 22 also depends from independent claim 11, thereby incorporating all the features of claim 11. Hiji et al. cannot and does not cure at least the deficiency discussed above. Therefore, Molsen et al., Sakai et al., and Hiji et al., whether taken individually or in

combination, also fail to teach all the features of claim 22 for at least the reason discussed above.

CONCLUSION

In view of the foregoing, reconsideration and timely allowance of the pending claims are respectfully requested. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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